

1 **CHRISTENSEN JAMES & MARTIN, CHTD.**  
 2 Daryl E. Martin, Esq. (NV Bar No. 6735)  
 3 Wesley J. Smith, Esq. (NV Bar No. 11871)  
 4 7440 W. Sahara Avenue  
 5 Las Vegas, Nevada 89117  
 Telephone: (702) 255-1718  
 Facsimile: (702) 255-0871  
[dem@cjmlv.com](mailto:dem@cjmlv.com), [wes@cjmlv.com](mailto:wes@cjmlv.com)  
*Attorneys for Plaintiffs*

6  
 7 **UNITED STATES DISTRICT COURT**  
 8 **DISTRICT OF NEVADA**

9 \* \* \* \* \*

10 BOARD OF TRUSTEES OF THE PAINTERS  
 11 AND FLOORCOVERERS JOINT  
 12 COMMITTEE, et al.,

13 Plaintiffs,

14 vs.

15 ACCELERATED CONSTRUCTION, INC., at  
 16 al.,

17 Defendants.

18 CASE NO.: 2:19-cv-01191-RFB-NJK

19 **STIPULATION AND ORDER TO**  
 20 **DISMISS CLAIMS AGAINST**  
 21 **AMERICAN CONTRACTORS**  
 22 **INDEMNITY COMPANY AND**  
 23 **KENNETH C. SMALL,**  
 24 **INDIVIDUALLY AND DBA**  
 25 **3W CONTRACTORS**

26 Plaintiffs and Defendants Accelerated Construction, Inc., Steed Bros. Construction  
 27 LLC, Kenneth C. Small, both individually and dba 3W Contractors, and American  
 Contractors Indemnity Company (the “Parties”), each acting by and through their respective  
 28 counsel of record, agree and request the Court’s Order pursuant to Fed. R. Civ. P.  
 41(a)(1)(A)(ii) dismissing all claims asserted by Plaintiffs against American Contractors  
 Indemnity Company (“ACIC”) and Kenneth C. Small individually (“Small”) and dba 3W  
 Contractors (“3W Contractors”). In connection with the claims dismissed by this stipulated  
 order, Plaintiffs, ACIC, Small, and 3W Contractors shall bear their own attorney’s fees and  
 costs. This Stipulation is intended to dismiss from this action only Defendants ACIC, Small,  
 and 3W Contractors. All other relief sought by Plaintiffs and all claims asserted against other

1 Defendants, including claims, orders, and judgments sought against Accelerated  
2 Construction, Inc., Steed Bros. Construction, LLC, Axis Contracting, LLC, and Carl W.  
3 Sheets, shall not be affected by this stipulation.  
4

5 The Parties therefore respectfully and jointly request the Court's Order dismissing  
6 Plaintiffs' claims against ACIC, Small, and 3W Contractors.  
7

8 Respectfully submitted this 9th day of July, 2025.  
9

10 **CHRISTENSEN JAMES & MARTIN**

11 **HOLLAND & HART**

12 By: /s/ Daryl E. Martin  
13 Daryl E. Martin, Esq. (6735)  
14 7440 W. Sahara Avenue  
15 Las Vegas, Nevada 89117  
16 Ph: (702) 255-1718  
17 Email: dem@cjmlv.com  
18 *Attorneys for Plaintiffs*

19 By: /s/ Joseph G. Went  
20 Joseph G. Went, Esq. (9220)  
21 9555 Hillwood Dr., 2nd Floor  
22 Las Vegas, NV 89134  
23 Ph: (702) 699-4600  
24 Email: jgwent@hollandhart.com  
25 *Attorneys for Defendants Accelerated  
26 Construction, Inc., Steed Bros.  
27 Construction LLC, Kenneth C. Small,  
both individually and dba 3W  
Contractors, and American Contractors  
Indemnity Company*

18 **GOOD CAUSE APPEARING, IT IS SO ORDERED.**

19   
20 \_\_\_\_\_  
21 United States District Judge

22 Dated: July 10, 2025

23  
24 Submitted by:  
25 **CHRISTENSEN JAMES & MARTIN**

26 By: /s/ Daryl E. Martin  
27 Daryl E. Martin, Esq.  
Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

I am an employee of Christensen James & Martin. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

ELECTRONIC SERVICE: Pursuant to Local Rule LR IC 4-1 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties through the Notice of Electronic Filing automatically generated by the Court.

UNITED STATES MAIL: By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

N/A

ELECTRONIC MAIL: By sending the above-referenced document via electronic mail to those persons and those addresses listed below:

N/A

FAX: By sending the above-referenced document via facsimile to those persons listed on the attached service list (if any) at the facsimile numbers set forth thereon.

## CHRISTENSEN JAMES & MARTIN

By: /s/ Natalie Saville